THE HONOURABLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.24150 of 2006

DATED: 23.10.2007

Between:

T. Nageswara Rao ….Petitioner

AND

1. The Joint Collector, Prakasam District,
   Ongole and others ….Respondents

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THE HONOURABLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.24150 of 2006

ORDER:

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Heard the learned Counsel.

This writ petition is filed for issuance of a writ, order or direction declaring the order of the Revenue Divisional Officer, Ongole, in Rc.C.No.1052/06, dated 26.10.2006 as illegal, arbitrary, malafide and colourable exercise of power and to set-aside the same by issuing a writ of Mandamus and further direct that the petitioner be permitted to function as the Fair Price Shop dealer of Vellalacheruvu (V) Santhamagulur Mandal, Prakasam District, by issuing Essential Commodities pending final orders in the case and pass such other suitable orders.

This Court issued Rule Nisi on 20.11.2006 and further granted interim suspension in W.P.M.P.No.30833 of 2006.

On 18.09.2007, the interim suspension was made absolute and the writ petition was directed to be listed for final hearing.

The petitioner's shop was inspected on 16.05.2006 and a show cause notice was issued to the petitioner on 29.05.2006. On 10-07-2006 again the petitioner's shop was inspected and another show cause notice was issued to the petitioner on 19.06.2006. On 26.10.2006 the order of suspension was made and the said order was served on the petitioner on 14.11.2006. It is stated that an appeal also had been preferred on 15.11.2006 before the first respondent-Joint Collector, Prakasam District, Ongole and it is stated that no interim

order had been granted by the appellate authority.

In view of the facts and circumstances, the writ petition is disposed of directing the first respondent to dispose of the appeal within a period of six weeks from the date of receipt of this order. Let the second respondent also complete the enquiry within a period of six weeks from the date of receipt of this order. Till then, the interim suspension granted by this Court be operative.

The Writ Petition is disposed of accordingly. No order as to costs.

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P.S.NARAYANA, J.

DATED:23rd October, 2007
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